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November 3, 2003

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1940 Duke St.
Alexandria, VA 22314

In re application of:
Takahiro Yoshikawa DECISION ON PETITION
Serial No.: 09/764,261
Filed: January 19, 2001
For: IMAGE FORMING APPARATUS

This is a decision on the petition received on April 1, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed February 28, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned May 1, 2001.

On April 1, 2003, the office received a communication from the attorney of record. Enclosed was an acknowledgement that the attorney never received the Notice of Missing Parts mailed February 28, 2001.

The evidence submitted is sufficient to establish that the petitioners never received the Notice of Missing Parts mailed February 28, 2001.

The petition is hereby Granted.

Enclosed is a new Notice to File Missing Parts giving counsel 2 months from the date of the notice to respond.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this matter may be directed to Doshie E. Day (703) 308-3640.


Doshie E. Day
Program Management Assistant
Office Initial Patent Examination

Enclosure: 1